GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – MA&UD Department – Certain allegations of irregularities committed in conducting market sales, transfer of municipal lands to other agencies and in spending of labour contract bills etc., in Jaggaiahpet Municipality, Krishna District - Disciplinary proceedings initiated against Sri N.S.Appanna, the then Municipal Commissioner (now retired), Jaggaiahpet Municipality under Rule-20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 - Charges framed - Enquiry conducted - Charges held proved - Imposing a penalty of "5% cut in pension for a period of five (5) years" – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 689 **Dated: 01-11-2019.**

Read the following:

1) From the G.A (V&E) Department, Vigilance Report No.55 (1263/V&E-D1/06), dated.30.04.2007.
2) G.O.Rt.No.22, MA&UD (E1) Department, dated.04.01.2008.
3) Served copy of G.O. served on Sri N.S.Appanna, the then M.C., Jaggaiahpet Municipality received from the C&DMA, A.P., Hyd., Letter Roc.No.17308/2007-E1, dated.12.02.2008.
4) G.O.Rt.No.1059, MA&UD (E1) Department, dated.13.09.2010.
5) Govt.Memo.No.12899/E1/2007, MA&UD (E1) Department, dt.13.09.2010.
6) Enquiry Report from Sri B.Ramamohan, Commissioner & Enquiry Officer, Jaggaiahpet, Lr.Roc.No.733/2010/C1, dated.04.03.2011.
7) Govt.Memo.No.12899/E1/2007, MA&UD (E1) Department, dt.24.03.2012.
8) Govt.Memo.No.12899/Vig.II/2007, MA&UD (E1) Dept., dtd.16.11.2018.
9) Written explanation of Sri N.S.Appanna, the then MC (Retd), Jaggaiahpeta, dated.15.02.2019.
10) Govt. Letter No.12899/Vig.II/2007, MA&UD (E1) Dept., dtd.20.09.2019.
11) From the Secretary, A.P. Public Service Commission, Letter No.513/ DC&C/2019, dated.17.10.2019.

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Whereas, it has been brought to the notice of the Government that, based on representation filed by Sri Sriram Raja Gopal, Chairperson, Jaggaiahpet Municipality alleging irregularities in the conduct of auction, market sales, transfer of municipal lands to other agencies and in spending labour contract bills etc., by the then Municipal Commissioner Sri N.S.Appanna, Jaggaiahpet Municipality, the G.A. (V&E) Department have conducted a detailed enquiry and recommended to take appropriate disciplinary action against Sri N.S.Appanna and Sri A.Venkat Rao, the then Municipal Commissioners of Jaggaiahpet Municipality vide reference 1st read above.

2. Whereas, in the G.O. 2nd read above, Government have initiated disciplinary proceedings against Sri N.S.Appanna, the then Municipal Commissioner, Jaggaiahpet Municipality duly framing the following articles of charges, directing him to submit his written statement of defence thereon;

(P.T.O)

Charge No.1: That he had failed to conduct open auction for the Municipal Fish & Mutton Market for the year 2004 - 2005 and 2005 - 2006 and caused revenue loss to a tune of Rs.50,000/- to the Municipality and auctions were conducted for Fish and Mutton market for the year 2006 – 2007 without any Gazette notification and also manipulated Gazette Notification at Jaggaiahpet Municipality.

Charge No.2: That he has transferred valuable Municipal lands to the Lions Club and Bhagavan Satya Sai Seva Samithi, Jaggaiahpet Municipality irregularity.

Charge No.3: That he had paid Rs.6,440/- (Rupees Six thousand four hundred and forty only) to two labour workers during April, 2006 without finalizing labour contract tender for the year 2006-2007.

Charge No.4: That he had exhibited lack of integrity, deviation to duty and conduct unbecoming a member of service and thereby contravened Rule 3 of A.P.C.S. (Conduct) Rules, 1964.

3. Whereas, the charged officer did not submit his written statement of defence and Government have issued orders in the references 4th & 5th read above, appointing Sri B.Ramamohan, Municipal Commissioner, Jaggaiahpet Municipality as an Enquiry Officer and Sri B.Balaswamy, Municipal Commissioner, Tanuku Municipality as Presenting Officer respectively, to enquire into the charges framed against both the charged officers Sri N.S.Appanna and Sri A.Venkat Rao, the then Municipal Commissioners of Jaggaiahpet Municipality.

4. Whereas, in the reference 6th read above, Sri B.Ramamohan, Municipal Commissioner & Enquiry Officer, Jaggaiahpet Municipality has submitted his enquiry report stating that, the charged officer has not conducted auctions for the financial year 2004 – 05 and 2005 – 06 and misrepresented the facts about Gazette notification to the higher authorities and conducted auctions without any Gazette publication and also not followed procedure before allotting the valuable municipal lands, which shows clear case of slackness and dereliction of duties by the charged officer. Finally he has concluded that, out of four charges framed against the charged officer, three charges were held 'proved' and one charge is held 'not proved' in the enquiry.

5. Whereas, in the reference 7th read above, Government after careful examination of the Enquiry report, have accepted the findings of Enquiry Officer and a copy of the enquiry report has been communicated to Sri N.S.Appanna, the then M.C. (now retired), Jaggaiahpet to offer his written representations on the findings of report of the Enquiry Officer, in terms of Rule 21 (2) of APCS (CCA) Rules, 1991.

6. As the charged officer has not submitted his written representation, Govt. after examining the matter in detail, have provisionally decided to impose a penalty of "5% cut in pension for a period of five (5) years" on Sri N.S.Appanna, the then Municipal Commissioner (now retired), Jaggaiahpet Municipality and in the reference 8th read above, a show cause notice has been issued to the charged officer, as to why the said penalty shall not be imposed on him. In the reference 9th read above, the charged officer has submitted written representation and requested to drop all the charges framed against him.

(Contd....3)

7. As no new grounds put forth by the charged officer, Government after careful examination of the matter, it has been provisionally decided to impose a penalty of "5% cut in pension for a period of five (5) years" on the charged officer Sri N.S.Appanna, the then Municipal Commissioner (now retired), Jaggaiahpet Municipality in terms of Rule-9 of A.P. Revised Pension Rules, 1980. In the reference 10th read above, the Secretary, A.P. Public Service Commission was requested to convey the concurrence of the Commission to the Government's proposal.

8. Whereas, in the reference 11th read above, the Secretary, A.P. Public Service Commission has informed that, Commission agrees with the proposals of the Government to impose a penalty of "5% cut in pension for a period of five (5) years" against Sri N.S.Appanna, the then Municipal Commissioner (now retired), Jaggaiahpet Municipality, Krishna District and advised accordingly.

9. Whereas, Government after careful and detailed examination of the matter, have decided to impose a penalty of "5% cut in pension for a period of five (5) years" on Sri N.S.Appanna, the then Municipal Commissioner (now retired), Jaggaiahpet Municipality, Krishna District, since the charges framed against him were held 'proved' in the enquiry.

10. Now, therefore, Government hereby impose a penalty of "5% cut in pension for a period of five (5) years" on Sri N.S.Appanna, the then Municipal Commissioner (now retired), Jaggaiahpet Municipality, Krishna District under Rule 9 of A.P. Revised Pension Rules, 1980, since the charges framed against him were held 'proved' in the enquiry.

11. The Commissioner & Director of Municipal Administration, A.P., Guntur shall take necessary further action in the matter accordingly.

12. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.SYAMALA RAO
SECRETARY TO GOVERNMENT

To
Sri N.S.Appanna, the then Municipal Commissioner (now retired),
Jaggaiahpet Municipality, Krishna District
- **through** the C&DMA, A.P., Guntur.
The Commissioner & Director of Municipal Administration, A.P., Guntur.

Copy to:
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission, 5th Block, A.P. Secretariat.
The Municipal Commissioner, Jaggaiahpet Municipality, Krishna District.
The Secretary, A.P. Public Service Commission, Vijayawada.
The Accountant General (A&E), A.P., Hyderabad.
The Principal Accountant General (A&E), A.P., Vijayawada.
The Pay and Accounts Officer, Ibrahimpatnam, A.P., Krishna District.
SF/SCs.

// FORWARDED BY ORDER //

SECTION OFFICER.